

**2013-1392**

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**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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SUFFOLK TECHNOLOGIES, LLC,  
*Plaintiff-Appellant,*

v.

AOL INC.,  
*Defendant,*

v.

GOOGLE INC.,  
*Defendant-Appellee,*

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Appeal from the United States District Court for the Eastern District of Virginia in  
case no. 12-CV-0625, Judge T.S. Ellis, III.

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**UNOPPOSED MOTION OF PLAINTIFF-APPELLANT SUFFOLK  
TECHNOLOGIES, LLC FOR EXTENSION  
OF TIME TO FILE THE APPELLANT'S OPENING BRIEF**

Plaintiff-Appellant Suffolk Technologies, LLC ("Suffolk") respectfully moves for a 21-day extension of the due date for its opening brief. This is Suffolk's first request for an extension of time to file its opening brief. The opening brief is currently due on July 8, 2013, and the extension sought here would extend the due date up to and including July 29, 2013.

The requested 21-day extension is needed because the undersigned attorneys have scheduling conflicts before the current due date for the brief. Accordingly, it

has become apparent that Suffolk's opening brief cannot be completed by its current due date of July 8, 2013, and that an extension is necessary to fully address the issues in this appeal. Under the circumstances, Suffolk submits that the 21-day extension it is seeking is both necessary and reasonable.

Defendant-Appellee Google Inc. has stated that it does not oppose Suffolk's requested extension. A proposed order believed appropriate for entry by the Court is attached to this motion.

Date: June 10, 2013

Respectfully submitted,

/s/ Joel L. Thollander

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*Attorneys for Plaintiff-Appellant Suffolk  
Technologies, LLC*

### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Unopposed Motion of Extension of Time to File the Appellant's Opening Brief was served through the Court's ECF system and electronic mail on June 10, 2013 to counsel of record as follows:

Christa M. Anderson ([canderson@kvn.com](mailto:canderson@kvn.com))

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San Francisco, CA 94111

*Counsel for Defendant-Appellee*

*Google Inc.*

Date: June 10, 2013

/s/ Joel L. Thollander

Joel L. Thollander

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**DECLARATION OF JOEL L. THOLLANDER**

1. I, Joel L. Thollander, hereby declare that I am a principal in the law firm of McKool Smith, P.C., and a member of the Bar of this Court. I represent Plaintiff-Appellant Suffolk Technologies, LLC (“Suffolk”) in this appeal.
2. All of the facts set out in Suffolk’s motion are true and correct and are based on my personal knowledge or, in the case of the schedules of other attorneys, on conversations I had with those attorneys.

3. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Date: June 10, 2013

/s/ Joel L. Thollander  
Joel L. Thollander

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**ORDER**

UPON CONSIDERATION of the Unopposed Motion for Extension of Time  
filed by Plaintiff-Appellant Suffolk Technologies, LLC (“Suffolk”), it is  
ORDERED that:

The Motion is GRANTED and the time for filing Suffolk’s opening brief  
shall be extended 21 days, or up to and including July 29, 2013.

Date: \_\_\_\_\_

cc: Roderick G. Dorman, Christa M. Anderson

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT  
SUFFOLK TECHNOLOGIES, LLC V. AOL INC.  
No. 2013-1392**

**CERTIFICATE OF INTEREST**

Counsel for Plaintiff-Appellant Suffolk Technologies, LLC certifies the following:

1. The full name of every party or amicus represented by me is:

Suffolk Technologies, LLC.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

Suffolk Technologies, LLC.

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

None.

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

**McKOOL SMITH HENNIGAN P.C.:** Roderick G. Dorman; Jeanne Irving;  
Alan P. Block; Jeffrey Huang

**McKOOL SMITH P.C.:** Douglas A. Cawley; Joel L. Thollander; Daniel L.  
Geyser

**CALDWELL CASSADY & CURRY:** J. Austin Curry

Date: June 10, 2013

Respectfully submitted,

/s/ Joel L. Thollander

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